

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DALE MOBLEY,

Plaintiff,

v.

Case No. 16-CV-11141
HONORABLE AVERN COHN

KEN ROMANOWSKI, et al.,

Defendants.

_____ /

ORDER OF DISMISSAL

This is a pro se prisoner civil rights action under 42 U.S.C. § 1983. Plaintiff Dale Mobley, an inmate at the Macomb Correctional Facility in New Haven, Michigan, says that he was subject to prison assault in October, 2014 in violation of his Eighth Amendment rights. He names the warden and other parties as the defendants in this action and seeks monetary damages.

At the time he filed his complaint, the plaintiff did not pay the required \$350.00 filing fee, nor did he submit a proper application to proceed without prepayment of the filing fee. See 28 U.S.C. § 1915(a)(2); McGore v. Wrigglesworth, 114 F.3d 601, 605 (6th Cir. 1997), overruled on other grounds, LaFountain v. Harry, 716 F.3d 944, 951 (6th Cir. 2013). The plaintiff also did not submit copies for service of the complaint upon the defendants. As such, on March 30, 2016, the Court issued deficiency orders requiring the plaintiff to either pay the filing fee or submit a properly completed *in forma pauperis* application and to submit three additional copies of the complaint within 30 days (by

April 29, 2016). The Court's orders provided that if the plaintiff did not do so within that time period, his case would be dismissed. (Doc. 3).

The Court's records reveal that the plaintiff has failed to correct the filing deficiencies within the allotted time for doing so. Accordingly, the complaint is **DISMISSED WITHOUT PREJUDICE**. The Court makes no determination as to the merits of the complaint.

SO ORDERED.

S/Avern Cohn

AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: May 27, 2016
Detroit, Michigan